

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASHLEY F. GERBIG,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

8:13CR83

ORDER

This matter is before the court on defendant's UNOPPOSED MOTION TO EXTEND FILING DEADLINE FOR PRETRIAL MOTIONS [17]. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 61-day extension. Pretrial Motions shall be filed by July 9, 2013.

**IT IS ORDERED:**

1. Defendant's UNOPPOSED MOTION TO EXTEND FILING DEADLINE FOR PRETRIAL MOTIONS [17] is granted. Pretrial motions shall be filed on or before **July 9, 2013**.

2. The defendant is ordered to file the affidavit required by NECrimR 12.1(a) regarding speedy trial as soon as practicable.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between May 9, 2013 and July 9, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED this 9<sup>th</sup> day of May, 2013.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**